IN THE HIGH COURT OF PUNJAB & HARYANA, CHANDIGARH

C R. No. 3243 of 2007
Date of Decision: August 20,2007

Ram Pal Yadav .....Petitioner

Versus

State of Haryana .....Respondent

Coram: Hon'ble Mr.Justice Rajesh Bindal

Present: Mr.Lokesh Sinhal,Advocate for the petitioner.

Rajesh Bindal, J.

The only prayer made in the present petition is for grant of last opportunity to the petitioner to complete his entire evidence which has been ordered to be closed by order of the Court dated 17.5.2007.

Notice of motion was issued to the respondent on 5.7.2007. As per the Office report, service of respondent is complete. However, no one has put in appearance. The petition arises out of the reference pending with the Additional District Judge, Faridabad under Section 18 of the Land Acquisition Act, 1894. The claim is for enhancement of compensation on account of acquisition of superstructure, tubewells, trees etc.

The learned counsel for the petitioner submits that he is

only to produce the witness assessing the value of the superstructure, tubewells, trees etc. He further submits that on the date fixed for evidence, the witness could not be produced as he had to go to attend marriage in the family. Still further, it is submitted that in case one opportunity is granted, the petitioner will complete his entire evidence at his own risk and responsibility.

Having heard the learned counsel for the petitioner, as a matter of indulgence and in the interest of justice where the land of petitioner including superstructure, tubewells and trees have been acquired,

the petitioner be granted another opportunity for leading his entire evidence at his own risk and responsibility on the next date fixed subject to payment of costs of Rs.1000/-. Costs be deposited with District Legal Services Authority, Faridabad. The petitioner will be at liberty to take help of the Court to summon the witness(s).

The petition is disposed of in the manner indicated above.

(Rajesh Bindal)
Judge

August 20, 2007
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